

ORDINANCE NO. 94- 27

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 93-27 ENTITLED "THE PALM BEACH COUNTY PURCHASING ORDINANCE"; PROVIDING FOR THE SUBSTITUTION OF "OFFICE OF MINORITY/WOMEN BUSINESS ENTERPRISE" FOR "OFFICE OF EQUAL OPPORTUNITY" IN SECTION IV.D.3. OF ORDINANCE NO. 93-27; REPEALING LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida enacted Ordinance No. 93-27, amending Ordinance No. 90-25, which established the County's purchasing procedures; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida enacted Ordinance No. 93-28, repealing Ordinance No. 91-34, which established the County's Minority/Women Business Enterprises Program; and

WHEREAS, the Office of Minority/Women Business Enterprises has been established as a separate office of the County, independent from the Office of Equal Opportunity; and

WHEREAS, the Board of County Commissioners has deemed it necessary to amend Ordinance 93-27 to reflect the change in status of the Minority/Women Business Enterprise Office.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1.

The second paragraph of Section IV.D.3 of Ordinance No. 93-27 is amended to read as follows:

1 "3. Authority to Resolve - A protest committee comprised
2 of the Director of Purchasing, a representative of the County
3 Attorney and an Assistant County Administrator or the Deputy
4 County Administrator, shall have authority to review, settle
5 and resolve the protest. The Committee's review shall be
6 informal and not subject to certiorari review.

7 The Director of Purchasing shall serve as the Chair of the
8 Committee. The Director of the Office of Minority/Women
9 Business Enterprise shall serve as an advisor to the
10 Committee; provided, however, where the protest involves a
11 Minority or Women Business issue or an allegation of
12 discrimination, the Director of the Office of Minority/Women
13 Business Enterprise shall serve as a fourth member of the
14 Committee.

15 a. If it is determined that the solicitation or award
16 is in violation of law or the Rules and Regulations of
17 Purchasing, the solicitation or award shall be canceled or
18 revised.

19 b. If it is determined that the solicitation or award
20 should be upheld, the Director of Purchasing shall promptly
21 issue a decision in writing stating the reason for the action
22 with a copy furnished to the protestor and any other
23 intervening party.

24 c. The determination shall be final and conclusive
25 as to the County unless a party commences action in court.

26 SECTION 2. REPEAL OF LAWS IN CONFLICT

27 All local laws and ordinances or parts of such ordinances applying to the
28 unincorporated area of Palm Beach County in conflict with any provisions of this
29 ordinance are hereby repealed to the extent of the conflict.

30 SECTION 3. SEVERABILITY

31 If any section, paragraph, sentence, clause, phrase or word of this Ordinance
32 is for any reason held by the Court to be unconstitutional, inoperative or void, such
33 holding shall not affect the remainder of this Ordinance.

34 SECTION 4. INCLUSION IN THE CODE OF LAWS AND 35 ORDINANCES

36 The provisions of this Ordinance shall become and be made a part of the

1 Code of Laws and Ordinances of Palm Beach County, Florida. The sections of the
2 Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance"
3 may be changed to "section," "article," or any other appropriate word.

4 **SECTION 5. EFFECTIVE DATE**

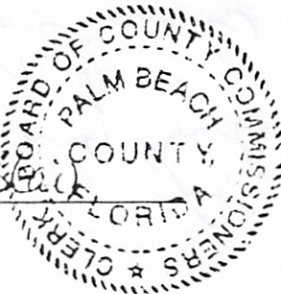
5 The provisions of this Ordinance shall become effective upon receipt of
6 acknowledgement from the Secretary of State.

7 **APPROVED AND ADOPTED** by the Board of County Commissioners of
8 Palm Beach County, Florida, on the 15 day of November, 1994.

9 DOROTHY H. WILKEN,
10 CLERK

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

11 By: Jim H. Smith
12 Deputy Clerk



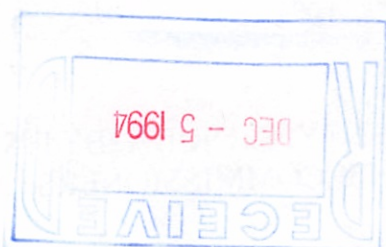
By: Mark McCarty
Chair

13 APPROVED AS FOR FORM AND
14 LEGAL SUFFICIENCY

15 By: Paul F. [Signature]

16 Acknowledgement by the Department of State of the State of Florida, on the
17 28th day of November, 1994

18 **EFFECTIVE DATE:** Acknowledgement from the Department of State
19 received on the 30th day of November, 1994, at 11:10 A.M., and filed in the Office of
20 the Clerk of the Board of County Commissioners of Palm Beach County, Florida.



*County Library
Services Dept*

**ORDINANCE
ENCLOSURE**